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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,858	04/04/2000	Douglas A. Campbell	3835-4001	6181

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Morgan & Finnegan LLP  
345 Park Avenue  
New York, NY 10154

EXAMINER

OPIE, GEORGE L

ART UNIT PAPER NUMBER

2126

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/542,858

Examiner

George L. Opie

Applicant(s)

Campbell et al.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) \_\_\_\_ Responsive to communication(s) filed on \_\_\_\_.
- 2a) \_\_\_\_ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) \_\_\_\_ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) \_\_\_\_ Claim(s) \_\_\_\_ is/are allowed.
- 6) \_\_\_\_ Claim(s) \_\_\_\_ is/are rejected.
- 7) \_\_\_\_ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-44 are subject to restriction and/or election requirement.

**Application Papers**

- 9) \_\_\_\_ The specification is objected to by the Examiner.
- 10) \_\_\_\_ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) \_\_\_\_ The proposed drawing correction filed on \_\_\_\_ is: a) \_\_\_\_ approved b) \_\_\_\_ disapproved.
- 12) \_\_\_\_ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) \_\_\_\_ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) \_\_\_\_ All b) \_\_\_\_ Some \* c) \_\_\_\_ None of the CERTIFIED copies of the priority documents have been:
1. \_\_\_\_ received.
  2. \_\_\_\_ received in Application No. (Series Code / Serial Number) \_\_\_\_.
  3. \_\_\_\_ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) \_\_\_\_ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 14) \_\_\_\_ Notice of References Cited (PTO-892)                      17) \_\_\_\_ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 15) \_\_\_\_ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      18) \_\_\_\_ Notice of Informal Patent Application (PTO-152)
- 16) \_\_\_\_ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                      19) \_\_\_\_ Other: \_\_\_\_.

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**RESTRICTION****1. Groupings**

- I. Claims 1-12 drawn to accessing a remote server via a name server, classified in class 709, subclass 219.
- II. Claims 13-24 and 33-39 drawn to accessing a server from a client, classified in class 709, subclass 203.
- III. Claims 25-31 drawn to allocating network resources, classified in class 709, subclass 226.
- IV. Claim 32 drawn to computer-to-computer data routing, classified in class 709, subclass 238.
- V. Claims 40-44 drawn to interfacing a client to a network, classified in class 709, subclass 250.

**2. Subcombination, Usable Together**

Inventions I, II, III, IV and V are related as subcombinations disclosed as usable together in a single invention. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the above grouped inventions have separate utility such as, inter alia, allocating network resources, routing data, and client/server interaction. See MPEP § 806.05(d).

**3. Conclusion**

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art 1) as shown by their different classification, 2) because of their recognized divergent subject matter, and/or 3) the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

**Contact Information:****PTO Policy for Facsimile Submissions:**


- ☐ AFTER-FINAL faxes must be signed and sent to (703) 746-7238.
- ☐ OFFICIAL faxes must be signed and sent to (703) 746-7239.
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All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in

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which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

- ☐ All responses sent by U.S. Mail should be mailed to:  
**Commissioner for Patents**  
**PO Box 1450**  
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- ☐ Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.
- ☐ Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.
- ☐ Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (703) 308-9120 or via e-mail at *George.Opie@uspto.gov*. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.

  
**ZARNI MAUNG**  
**PRIMARY EXAMINER**